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PATENT
ATTORNEY DOCKET NO. 10487-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Konia

Serial No.:

09/491,747

Examiner: Karmis, Stefanos

Filed:

January 27, 2000

Group Art Unit: 3624

Title:

ONLINE AUCTION BID MANAGEMENT SYSTEM
AND METHOD

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is in response to the Non-final Office Action of April 21, 2004 (herein referred to as the "Office Action"). The Applicant thanks the Examiner for the courtesy extended to Applicant's Counsel in an April 7, 2004 telephone conference regarding the case.

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AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that any extensions of time or fees for net addition of claims are required. However, in the event that any extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to Brown Raysman's Deposit Account No. 502811.

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**CONFIRMATION OF ELECTION OF SPECIES IN RESPONSE TO
RESTRICTION REQUIREMENT**

The Office Action contains a Restriction Requirement, stating that claims 1-22 and 26-27 (Group I) purportedly claim an invention that is different from the invention of claim 23 (Group II).

As the Office Action states in its Restriction Requirement, Applicant, through its Counsel, made an oral Election of Species during the April 7, 2004 telephone conference with the Examiner, and Applicant now hereby confirms, in response to the Restriction Requirement, that Applicant elects claims 1-22 and 26-27 (Group I) for prosecution on the merits. However, Applicant respectfully reserves the right to file one or more divisional and/or continuing applications claiming the subject matter of the non-elected claims.